

Dr. Ronald J. Sider, Evangelicals for Social Action, Wynnewood, PA.

Dr. James W. Skillen, Center for Public Justice.

Taylor Smith, Jr., Vice President of Executive Support, Association of Christian Schools International.

Dr. Robert Vickers, President, Artful Askers, The Missouri Bridge.

David Winter, Chancellor, Westmont College, Santa Barbara, CA.

Karen M. Woods, Executive Director, Empowerment Resource Network.

Terrence Woodnorth, Endicott, NY.

Robert L. Woodson, Sr., Center for Neighborhood Enterprise.

Dr. Carl Zylstra, President, Dordt College, Sioux Center, Iowa.

ASSOCIATION OF CHRISTIAN SCHOOLS
INTERNATIONAL, OFFICE OF GOVERNMENT AFFAIRS,

Silver Springs, MD, April 23, 2007.

Hon. NANCY PELOSI,
Speaker, U.S. House of Representatives, Washington, DC.

Hon. JOHN BOEHNER,
House Minority Leader, Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER:

The Association of Christian Schools International (ACSI), which has member schools and preschools in every state, applauds the strong bipartisan vote by the U.S. House Education and Labor Committee that recently advanced the Improving Head Start Act (H.R. 1429). We know that this measure aims to strengthen the Head Start early childhood education program's teacher and classroom quality, boost coordination between Head Start and state and local early childhood programs, and increase Head Start's financial accountability. H.R. 1429 was introduced by a bipartisan group of Members, led by the Subcommittee on Early Childhood, Elementary, and Secondary Education's Chairman and Ranking Republican Member, Rep. Dale Kildee and Rep. Mike Castle. The undersigned commend these efforts.

We do have a major concern which we hope will be corrected before H.R. 1429 is voted upon and sent over to the U. S. Senate. During consideration of the Improving Head Start Act, the panel's majority chose to turn back an amendment offered by Committee Member Luis Fortuño (PR) to protect the civil liberties of faith-based providers by clarifying that these institutions are not required to relinquish their Title VII Civil Rights Act-hiring protections when they participate in the federal Head Start program. The existing and historic civil rights law explicitly protects the rights of religious organizations to take religion into account in their hiring practices, and former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive federal funds. The Fortuño amendment also ensures that religious organizations would not be forced to remove art, icons, scripture, or other symbols in order to receive federal Head Start funds—which paralleled President Clinton's efforts [See 42 USC section 604a(d)(2)].

Faith-based groups should not be forced to give up their religious uniqueness because they want to assist the poor and hurting of their community. The faith and values that motivate these Americans to serve others should not be held against them. ACSI, with its many early education members, would like to cooperate with Head Start at the local level, but cannot because of this inappropriate Federal religious discrimination. We are hopeful that the House will have an opportunity to consider this important issue

again when the Head Start bill comes to the House floor. The working-poor families who depend on Head Start services are counting on Congress to protect the Constitutional rights of both the secular and religious organizations that provide an "educational jump-start" for their children.

We commend HE&L Committee Member Luis Fortuño of Puerto Rico for his forthright stand that defends religious entities and their Constitutional right to be faithful to their religious beliefs, including the people they choose to hire. We are contacting many Members of both parties, asking them to protect and defend religious hiring rights of faith-based entities. And finally, ACSI and the two dozen groups or individuals who have signed this letter will do all that we can to protect potential Head Start programs that could be led by multi-faith-based groups in needy areas, but cannot because of the chilling effect of the draconian structure of current law. This is not a right to be given to Christian schools only, but to people of other faiths who represent a diverse, multi-faith society. Note additional cosigners listed on page 2.

Respectfully yours,

REVEREND JOHN C. HOLMES, Ed.D.

Organizations may be listed for purposes of identification only.

Carl H. Esbeck, Legal Counsel to the Office of Governmental Affairs, National Association of Evangelicals.

Stephen Lazarus, M. Phil., Senior Policy Associate, Center for Public Justice.

Tim McGhee, President, Mountaintop Group.

William Murray, Chairman, Religious Freedom Coalition.

Rev. Paul Weyrich, Chairman and CEO, Free Congress Foundation.

Jim Backlin, Vice President for Legislative Affairs, Christian Coalition of America.

Star Parker, Founder and President, Coalition on Urban Renewal & Education.

Robert Heckman, Central City Partners.

Maurine Proctor, President, Family Leader Network.

Gary Bauer, President, American Values.

Tom McClusky, Vice President of Government Affairs, Family Research Council.

Donald E. Wildmon, Founder and Chairman, American Family Association.

Ron Shuping, Executive Vice President, The Inspiration Networks.

Pam Pryor, Vice President of Government Affairs, We Care America.

Kevin "Seamus" Hasson, President, The Becket Fund for Religious Liberty.

Joseph Cella, President, Fidelis.

Dr. Carl Herberster, President, AdvanceUSA.

Stephen V. Monsma, Ph.D., Research Fellow, The Henry Institute for the Study of Christianity and Politics, Calvin College.

Robin Stephenson, M.A., Director, Early Education Services, Association of Christian Schools International.

Ron Sider, President, Evangelicals for Social Action.

Rev. Richard Cizik, M. Div., M.A., Vice President of Governmental Affairs, National Association of Evangelicals.

James Standish, J.D., M.B.A., Director of Legislative Affairs, Seventh-day Adventist Church.

Gregory S. Baylor, J.D., Director, Center for Law & Religious Freedom, Christian Legal Society.

The Salvation Army, USA Commander Israel Gaither, National Commander.

Hon. NANCY PELOSI,
Speaker of the House of Representatives.

DEAR MADAM SPEAKER PELOSI: The Association of Christian Schools International (ACSI) wishes it were able to commend Representatives Shuler (NC), Ellsworth (IN) and

Loebsack (IA) for their amendment to H.R. 1429 regarding Head Start and the religious rights of faith-based groups. However, we cannot.

The Shuler amendment does not actually do anything. It merely lauds the history of Head Start and its relationship with faith-based groups. Should the amendment be accepted by the Rules Committee, it will only function as a "fig leaf" to those who do not want to vote for the legitimate Religious Freedom amendment, like the Fortuño amendment. Any worthwhile amendment must protect religious freedom for faith-based groups' right to hire co-religionists; and protect their rights to show that they are religious by what they have on their walls—such a Scripture. The Fortuño wording actually reinforces the rights religious groups obtained in Section VII of the Civil Rights Act of 1964. Such staffing freedom was held to be constitutional by the United States Supreme Court (9-0) in Presiding Bishop v. Amos in 1987. We recently sent the House Leadership a letter (see attached) that explained ACSI's position on H.R. 1429 and its need for the Fortuño amendment. This letter was cosigned by two dozen individuals and groups, including the Salvation Army, USA, which recently won a religious staffing decision in *Lown v. Salvation Army* in 2005.

We urge the Rules Committee to allow the Fortuño amendment to be voted upon on the House floor in an up-or-down vote. This stand-alone amendment gives Congress the opportunity to vote for or against religious freedom. Faith-based organizations that exist to impact the lives of at-risk children—especially in the inner cities—need a truly religious freedom amendment to bring hope to otherwise hopeless families.

Regrettably, the Shuler amendment would only be a way of continuing to deny truly faith-based groups from participating in Head Start with a clear conscience.

Respectfully yours,

REV. JOHN C. HOLMES, EDD,
ACSI Director, Government Affairs.

Mr. McKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. SHULER).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. McKEON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. SPACE

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 110-116.

Mr. SPACE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. SPACE:

Page 136, strike lines 21 through 25, and insert the following (and make such technical and conforming changes as may be appropriate):

"(16) provide assistance to address the unique needs of programs located in rural communities, including—

"(A) removing barriers related to the recruitment and retention of Head Start teachers in rural communities;